

APPENDIX

MARKED-UP VERSION OF THE FIRST PARAGRAPH ON PAGE 1:

This application is a divisional of U.S. Patent Application Serial No. 09/506,135, filed February 17, 2000, [This application claims] which claims the priority benefit of U.S. Provisional Application No. 60/120,470, filed February 17, 1999, which is herein incorporated by reference.

MARKED-UP VERSION OF PARAGRAPH BRIDGING PAGES 6 AND 7:

When the tissue specimen 34 is placed in the tray in the base 26 and over the window 32 as shown in FIGS. 3 and 4, the specimen 34 is held down by the clamp mechanism 40. The clamp mechanism which is illustrated has hooked or barbed fingers which are hinged to the sidewalls 28 at spaced locations. The mechanisms include springs 42 which provide over center locks, such that when the fingers are pressed down beyond their axis of rotation, they are held down by the springs 42. Other clamping mechanisms may be used such as meshes or a membrane overlay or a permeable or perforated bag. Fiducial marks, which can be visualized or imaged, may be provided in the case of meshes or membranes. The use of a membrane or mesh may be preferable since the specimen 34 may be moved under the membrane. The membrane specimen tray or cassette is the subject matter of a companion application filed concurrently herewith in the name of Bill Fox, et al., U.S. Provisional Application No. 60/120,534, filed February 17, 1999, now pending as U.S. Patent Application No. 09/502,252, filed February 17, 2000. Further information as to the use of the markings on the clamping mechanism (the mesh or membrane) to mark locations of the image tissue is contained in a co-pending International Patent Application No. PCT/US99/21116, and U.S. Patent Application, filed in the names of Roger J. Greenwald and James M. Zavislan, serial number 60/100,176, filed September 14, 1998, now pending as U.S. Patent Application No. 09/786,902, filed March 9, 2001, having priority to U.S. Provisional Application No. 60/100,176 through International Patent Application No. PCT/US99/21116. The purpose of the clamps is to keep the tissue stationary during examination and also provide a means to lightly compress the tissue surface against the window. Alternatively, the clamps may provide tension to pull the tissue surface taut. Holding the tissue with either compression normal to the window or in tension parallel to the window (or both) tends to reduce the surface texture, or corrugation, peak to valley depth.

MARKED-UP VERSION OF AMENDED CLAIM 9

9. (amended) An apparatus for imaging excised tissue having a refractive index comprising:

a tray upon which excised tissue is disposed; [and]

means for clamping said excised tissue upon said tray; and

optics directed towards the excised tissue through a portion of said tray in which said tray contains an immersion media having a refractive index matching the refractive index of said excised tissue.